

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, JUNE 28, 2001
8:15 A.M.**

Commissioners Present: Kathy Campbell, Chair
Bob Workman, Vice Chair
Ray Stevens

Commissioners Absent: Larry Hudkins
Bernie Heier

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Ann Taylor, County Clerk's Office

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF TUESDAY, JUNE 26, 2001

MOTION: Workman moved and Stevens seconded approval of the Staff Meeting minutes of June 26, 2001. Workman, Stevens and Campbell voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Microcomputer Request for the County Commissioners' Office
- B. Transition Meeting Report
- C. Joint Meeting with City Council and Lincoln Board of Education

MOTION: Workman moved and Stevens seconded approval of the additions to the agenda. Workman, Stevens and Campbell voted aye. Motion carried.

3 BUDGET WORKING SESSION - Dave Kroeker, Budget and Fiscal Officer

Dave Kroeker, Budget and Fiscal Officer, reviewed the following documents:

Exhibit A

- Lancaster County Comparison FY02 to FY01 Expense Budget*
- Lancaster County Comparison FY02 to FY01 Revenue Budget*
- FY02 Budget Adjustments to Agency Budgets*

Campbell said Commissioner Hudkins has asked that the \$3,000 budgeted in Administrative Services (613) for County Board attendance at a regional or National Association of County Officials (NACo) conference be increased to \$5,000.

Exhibit B

- County Share of Funding City Joint Agencies*

Kroeker said an adjustment of \$162,998 is needed to comply with what the City is asking the County to contribute for joint agencies.

- 2001-2002 Lancaster County Purchasing Department Budget*

Kroeker said a total of \$101,474 is requested.

- Lancaster County Permits and Inspections, Building & Safety Department, Proposed Expense Budget, FY 2001-2002*

Kroeker said \$115,317 is requested. He estimated revenue at \$54,317, which leaves a budget amount of \$61,000.

- Billing from Codes Enforcement*

Exhibit C

- General Fund Miscellaneous, General Government (612)*

Kroeker said Safety Services (3115) reflects the County's contract with City Risk Management for safety related services and said Sue Eckley, Workers' Compensation & Risk Management Manager, has recommended that this amount be moved to her agency's budget.

Kroeker said Lancaster Manor currently has its own pool for workers's compensation and is not billed for Eckley's services. He suggested that billing be initiated, on a pro rata basis.

O A Projection of Group Health Insurance and Group Dental Insurance Costs

Kroeker estimated that an additional \$115,000 is needed to cover seven months of the County's increase in contribution for health insurance (Single coverage increased from 95% to 100%; 2/4 Party coverage and Family coverage increased from 80% to 85%). He noted that a rate increase of 19.5% to 24% is anticipated to take effect January 1, 2002 and recommended budgeting a total of \$725,000 to cover that rate increase and the increase in contribution.

O *General Fund Miscellaneous, Health & Human Services (805)*

Exhibit D

O *Lancaster County Building Fund Budget*

Kroeker said Don Killeen, County Property Manager, has recommended adding \$25,000 for remodel of the Election Commissioner Building, 555 South 9th Street.

Campbell said it may be necessary to budget funds for parking north of the County-City Building.

O A bill from Urban Development in the amount of \$75,000 for the County's share of Downtown Senior Center Skywalk Connection; Project Summary and Justification; and a handout detailing the 1999-2005 Capital Improvement Program for the Lincoln Area Agency on Aging

Kroeker said he was unaware of plans to extend the skywalk connection to the west and suggested further discussion with Aging at the City-County Common Budget Hearings.

Exhibit E

O Keno Fund, FY02 Proposed Budget

Kroeker said projects total \$759,826 and estimated that an additional \$319,926 in funds will be available for projects.

Exhibit F

- O A memorandum from Tim Genuchi, Accounting Operations Manager for the County Clerk's Office, requesting an additional \$2,301.22 in Other Contracted Services (3078) for annual maintenance on the Tesseract payroll system

The Board had no objection to adding the item to the budget.

Exhibit G

- O *County Support for Community Mental Health Center (CMHC)*
- O A memorandum outlining additional budget requests for the Community Mental Health Center
- O *Community Mental Health Center 01/02 Budget Corrections*

Kroeker said an additional \$307,268 is needed with the budget corrections and the Board approved adjustment for the new Program Manager for the Entry Unit and replacement of the Case Manager. Approval of the Case Managers subsidy will increase this amount to \$342,268 and addition of Items 1-6 (see Page 2) will increase the total to \$550,239.

Campbell requested a review of the fund balances and said further discussion of Items 1-6 is needed.

Exhibit H

- O *Families First Budget by Organization*

Kroeker said the budget has been revised and revenues now equal expenses.

MOTION: Workman moved and Stevens seconded to approve the adjustments as outlined in Exhibit A, including an additional \$2,000 in Administrative Services (613) for County Board attendance at a regional or National Association of County Officials (NACo) conference . Workman, Stevens and Campbell voted aye. Motion carried.

4 BOARD OF EQUALIZATION REPORT - Wayne and Tom Kubert, Great Plains Appraisal

Wayne Kubert, Great Plains Appraisal, reported that 500 property valuation protests have been filed in the County Clerk's Office, to date. He estimated that 1,200 to 1,400 protests will be filed.

Tom Kubert, Great Plains Appraisal, reviewed the roles of the Referee Coordinator; Referees, County Clerk's Office and the County Assessor's Office and the overall property valuation protest process (Exhibit I).

Campbell suggested seeking legislation to extend the period for the Board of Equalization to take action to equalize property valuations.

5 AIR POLLUTION REGULATIONS UPDATE - Scott Holmes, Lincoln-Lancaster County Health Department Environmental Health Division Chief; Rick Thorson, Acting Assistant Chief for Air Quality

Scott Holmes, Lincoln-Lancaster County Health Department Environmental Health Division Chief, explained the public process involved in making changes to the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards.

Rick Thorson, Acting Assistant Chief for Air Quality, distributed copies of the proposed changes and descriptions of each (Exhibits J & K). He said the revisions are proposed to:

1. Correct typographical errors and inconsistencies in the existing text
2. Provide needed clarifications
3. Adopt existing federal regulations pertaining to the compliance assurance monitoring program and Maximum Available Control Technology (MACT) standards developed by the Environmental Protection Agency (EPA)
4. Update currently adopted MACT standards to reflect the most recent versions available.

Holmes noted that no negative comments were received about the proposed changes during the public process.

In response to a question from Campbell, Thorson said the proposed regulation for no open burning in the County has been held to allow further input from the agricultural community.

Workman asked about the proposal to add without public review to Section 17(N)(1).

Thorson explained that this specifically refers to construction permits and will have no effect on emissions.

Holmes said the original intent was that this process not include public notice.

Thorson said the construction permit process is designed as a tool to allow the regulatory agency to look at proposed changes, at a source, that could impact emissions and air pollution.

Holmes said if it is determined that there is an impact to the environment and air pollution, an operating permit would be required. That would involve a public review process.

The Board will schedule a public hearing on the proposed changes to the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards at the July 10th County Board of Commissioners Meeting.

6 PURCHASE OF VACATED DAIRY LANE - Don Killeen, County Property Manager

Don Killeen, County Property Manager, suggested that the Board draft a letter to Mayor Wesely requesting a waiver of the cost of the vacated Dairy Lane for the County and Lincoln Mattress. He said he believes this is a reasonable request because the County invested over \$200,000 to improve Radcliffe Street, which is a city street.

Eagan asked whether it is possible to create a new entry for Lincoln Mattress on the north side of their building, rather than redo the driveway access off of Radcliffe Drive.

Killeen said it is Olsson Associates responsibility to resolve the driveway access problem.

MOTION: Workman moved and Stevens seconded to draft a letter to Jerry Coniglio, Lincoln Mattress, indicating that the County would like a completion date for the driveway access correction by Olsson Associates and suggesting alternative access on the north. Workman, Stevens and Campbell voted aye. Motion carried.

7 EXECUTIVE SESSION - Dave Johnson and Doug Cyr, Deputy County Attorneys

MOTION: Workman moved and Stevens seconded to enter Executive Session at 10:05 a.m. for discussion of potential and pending litigation. Workman, Stevens and Campbell voted aye. Motion carried.

MOTION: Stevens moved and Workman seconded to exit Executive Session at 11:00 a.m. Stevens, Workman and Campbell voted aye. Motion carried.

8 PROPOSAL TO DETERMINE COST OF ACREAGES; REPORT ON VACATION OF NORTH 11TH STREET, SOUTH OF FLETCHER AVENUE
- Mike DeKalb, Planning Department

Proposal to Determine Cost of Acreages

Mike DeKalb, Planning Department, said the question of whether acreages pay their way will be important in terms of development of the Lincoln City-Lancaster County Comprehensive Plan update. He suggested that Duncan and Associates, author of the Infrastructure Financing Study, be asked to do an analysis of this question and develop an answer (Exhibit M). The cost is estimated at \$25,000 to \$30,000 and the work will take approximately two to three months.

Campbell said she would like the analysis to include infrastructure costs and suggested that the study may be an appropriate Keno Fund project.

Workman reported on a website that calculates acreage costs.

Campbell asked Workman and DeKalb to look at the website and assess whether it will meet the County's needs or whether it should be augmented with the study.

Report on Vacation of North 11th Street, South of Fletcher Avenue

DeKalb reviewed Street and Alley Vacation No. 01009, a petition from Donald and Linda Spilker to vacate North 11th Street between Fletcher Avenue and Interstate 80, noting a recommendation of denial from Planning staff and the Planning Commission (Exhibits N & O). He stated that this is a County road in the City's three-mile zoning jurisdiction and will require approval by both the City Council and County Board.

DeKalb said the petitioners had initially requested a building permit to expand their existing barn to the west. The building permit was denied and a street and alley vacation was sought, with the intent to change the setback from a front yard to side yard to allow the expansion.

DeKalb said concerns include:

- Potential to landlock the lots to the west and south
- Road is in the future growth area of the City
- Vacation will violate subdivision access length requirement
- Eliminates future maneuvering room
- Neighboring property owner opposes the vacation

ADDITIONS TO THE AGENDA

A. Microcomputer Request for the County Commissioners' Office

MOTION: Workman moved and Stevens seconded to authorize Information Services to proceed with pricing of a desktop computer for the County Commissioners' Office. Workman, Stevens and Campbell voted aye. Motion carried.

B. Transition Meeting Report

Eagan said Gwen Thorpe, Deputy Chief Administrative Officer, will complete work related to the property valuation protest process and development of the County Clerk's records management system. He said Thorpe's initial priority duties include:

- Public relations and weekly County update on 5-City TV
- Press releases
- Website development
- Tracking of constituent complaints and correspondence
- County-wide records management
- Completion of the County Code
- Defining role of the County Board Administrative Secretary

Eagan said other duties will evolve over time, including assistance with grant writing responsibilities.

Campbell said she does not want the County Board Administrative Secretary to be loaded with volunteer jobs.

The Board requested a budget for the 5-City TV programming.

C. Joint Meeting with City Council and Lincoln Board of Education

Workman said he was disappointed with the lack of structure and relevance of agenda items at the June 25th joint meeting.

Campbell suggested that the Chairs of the Lincoln Board of Education, City Council, and County Board meet and set the agenda and parameters for the July 18th meeting.

The Board offered the Lincoln City-Lancaster County Comprehensive Plan, Lancaster County Juvenile Detention Center and the Families First & Foremost (F³) Grant Program as topics for discussion.

9 ACTION ITEMS

A. Committee Assignments for Commissioner Stevens

Commissioner Stevens was assigned to the following committees:

- Community Mental Health Advisory Committee
- Corrections Board, Vice Chair
- Families First & Foremost (F³) Conveners Group
- General Assistance Monitoring Committee
- Joint Budget Committee
- Keno Prevention Advisory Committee
- Lincoln Independent Business Association (LIBA) Budget Monitoring Committee
- Railroad Transportation Safety District
- Information Services Policy Committee
- Budget Monitoring Committee

Commissioner Workman was assigned to the Visitors Promotion Committee.

Commissioner Heier will serve as the City-County Common, Vice Chair.

B. Resolution Authorizing the County Clerk to Issue Payments While the County Board is Adjourned

MOTION: Stevens moved and Workman seconded approval. Stevens, Workman and Campbell voted aye. Motion carried.

C. Appointment of Janice K. Wood as Bailiff I for District Court Judge Earl Witthoff at a Salary of \$33,089, Commencing June 18, 2001

MOTION: Workman moved and Stevens seconded approval of the appointment. Workman, Stevens and Campbell voted aye. Motion carried.

D. Authorize Lancaster County Sheriff to Submit Grant to U.S. Department of Justice for Local Law Enforcement Block Grant in the Amount of \$132,507, with a County Match of \$14,723

MOTION: Workman moved and Stevens seconded to authorize the Lancaster County Sheriff to submit the grant application. Workman, Stevens and Campbell voted aye. Motion carried.

10 CONSENT ITEMS

- A. Authorize Kerry Eagan, Chief Administrative Officer, to Sign Proxy for Fidelity Puritan Fund
- B. Request from Russ Shultz, Noxious Weed Control Authority Superintendent, to Attend North American Weed Conference & Trade Show in Colorado Springs, Colorado, August 13-16, 2001
- C. Request from Dean Settle, Community Mental Health Center Director, to Conduct Accreditation Survey in Boston, Massachusetts, July 23-24, 2001

MOTION: Workman moved and Stevens seconded approval of the Consent Items. Stevens, Workman and Campbell voted aye. Motion carried.

11 ADMINISTRATIVE OFFICER REPORT

- A. Memorandum to County Departments Regarding Public Records Requests Under 2000 Nebraska Laws LB 628

Eagan reviewed a draft memorandum (see agenda packet) and suggested inclusion of the following sentence to the first paragraph:

You may be required to justify any fees you charge in court.

MOTION: Stevens moved and Workman seconded to authorize the Chair to send the amended memorandum to County departments. Stevens, Workman and Campbell voted aye. Motion carried.

- B. Personnel Policy Board Appointment

Eagan said Jim Haszard has agreed to serve on the Personnel Policy Board.

The Board will make the formal appointment at the July 10th County Board of Commissioners Meeting.

- C. 60-Day Termination Notice from NEBCO Inc. Regarding Parking Lot Lease at 10th Street and Lincoln Mall

Campbell reported that a meeting has been scheduled for 8 a.m. on Monday, July 2nd for Mayor Wesely; Larry Hudkins, Public Building Commission Chair; Annette McRoy, City Council Chair; Kathy Campbell, County Board Chair; and Dana Roper, Public Building Commission Attorney, to discuss the lease termination.

D. Pension Seminar for Employees, August 16, 2001

The Board approved holding the pension seminar.

E. Election Commissioner Signs

The Board approved the ground sign for the new Election Commission building (Exhibit P).

F. Update on Radcliffe Street

See Item 6.

12 DISCUSSION OF BOARD MEMBER MEETINGS

A. Officials Committee - Campbell, Workman

Campbell explained that this committee is responsible for approving the transportation work plan and State work projects for the City and County.

Campbell said she believes, as do others, that if the City and County reach an impasse on the beltway issue, that it will be forwarded to this committee for resolution.

B. Nebraska Association of County Officials (NACO) Board Meeting - Workman

Workman said discussion focused on how to proceed in the search for a new Executive Director. He said a decision was made to utilize services offered by the National Association of County Officials (NACo).

C. Parking Committee - Campbell

Campbell said parking requests were reviewed. She said the notice of termination of the lease of the east public parking lot was also discussed (see Item 11C).

13 EMERGENCY ITEMS AND OTHER BUSINESS

Mayor Wesely appeared and informed the Board that he has endorsed the east middle beltway route.

14 ADJOURNMENT

MOTION: Workman moved and Stevens seconded to adjourn the meeting.
Workman, Stevens and Campbell voted aye. Motion carried.

Bruce Medcalf
Lancaster County Clerk